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FISCAL IMPACT REPORT



SPONSOR: Picraux DATE TYPED: 1/30/02 HB 305

SHORT TITLE: Prescriptive Authority to Psychologists SB _____

ANALYST: J. Sandoval

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB 300
Relates to House Bill 170 and Senate Bill 231

SOURCES OF INFORMATION

LFC Files

Responses Received
Health Policy Commission (HPC)
Department of Health (DOH)

No Response
Regulation and Licensing Department (RLD)

SUMMARY

House Bill 305 amends the New Mexico Drug, Device and Cosmetic Act, to include “prescribing psychologist” in the category of practitioner. The Controlled Substances Act is amended to add “prescribing psychologist” to the definition of practitioner. The Nursing Practice Act is amended to add “prescribing psychologist” to its definition of licensed practical nursing. The Professional Psychologist Act is amended to include a “conditional prescription certificate” that would be issued by the Board of Psychology that would permit the holder to prescribe psychotropic medication under the supervision of a licensed physician. Psychotropic medication is defined as “a controlled substance...that may not be dispensed or administered without a prescription and whose primary indication for use has been approved by the federal food and drug administration for the treatment of mental disorders...”. A new section of the Professional Psychologist Act would be created which

defines how a psychologist is trained, supervised, credentialed, and maintains a “conditional prescription certificate”.

Significant Issues

According to the Department of Health, this bill would make New Mexico the first state to allow a psychologist to prescribe psychotropic medications after successfully completing pharmacological training from an institution of higher education or from a provider of continuing education approved by the Board.

ADMINISTRATIVE IMPLICATIONS

The Department of Health would need to work with state and federal governments to create a system of malpractice insurance and reimbursement for the prescribing psychologist. In addition, the issue of certification of programs, which include psychologists prescribing medications for the mentally ill, would need to be addressed.

DUPLICATION/RELATIONSHIP

House Bill 305 duplicates SB 300 and relates to House Bill 170 and Senate Bill 231.

OTHER SUBSTANTIVE ISSUES

- Psychologists who become licensed to prescribe psychotropic drugs may have to seek licensure with the Board of Pharmacy depending on the scope of their practice or if they open a clinic.
- The New Mexico Health Policy Commission believes this bill may allow hospitals and mental health facilities, particularly in rural areas, more staffing flexibility where recruitment of psychiatrists is difficult and may also bring cost savings to patients.
- There is currently no mechanism for the New Mexico Board of pharmacy to register psychologists to prescribe psychotropic medication and a review of the Board of Pharmacy regulations will be necessary to implement the provisions of this bill.

POSSIBLE QUESTIONS

1. How are the health and safety concerns of complex medical cases assured in this bill?
2. How would a prescribing psychologist’s training compare to that of a prescribing medical doctor?
3. Will the required training be sufficient in scope, content and clinical experience to insure the quality of care that is currently provided by other practitioners with prescribing authority?
4. Will Psychologist trained in prescribing psychotropic medication increase accessibility to mental health care?
5. Will there be significant cost savings to New Mexico residents?
6. Will there be more options for patients in rural areas or areas where physician shortage exists?